

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 2133 – HB 2520**

February 14, 2018

**SUMMARY OF ORIGINAL BILL:** Prohibits a court from determining an offender's sentence based on their consent or refusal to consent to any form of temporary or permanent birth control, sterilization, or family planning services.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (013132):** Deletes and rewrites the proposed legislation such that the only substantive change is to define sterilization, prohibit the court from accepting a plea agreement or plea of nolo contendere based on consent to sterilization, and provide that the proposed legislation will not apply to educational services on matters of birth control, sterilization or family planning services.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Title 40, Chapter 35 is titled the Tennessee Criminal Sentencing Reform Act of 1989.
- Part 2 of this act provides procedures for imposing sentences to offenders.
- The proposed legislation will prohibit the court from accepting a plea agreement, from accepting a plea of nolo contendere, or from determining the sentence of an offender based on that offender's consent or refusal to use any form of birth control or family planning services.
- The proposed legislation will not apply to educational services on matters of temporary birth control, sterilization, or family planning services.
- Prohibiting the court from determining the sentence of an offender based on that offender's consent or refusal to use any form of birth control or family planning services is not anticipated to result in any significant change to offender sentences.

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- Any impact to the caseloads of the courts, public defenders, and district attorneys can be accommodated within their existing resources.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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